5449993/2022/OP-HMF01

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Medical Education – APHERMC – Fixation of Fee to the Post Graduate Dental courses in St.Joseph Dental College, Eluru, Andhra Pradesh, for the block period 2017-2018 to 2019-2020 – Notification U/s 7 of Act No.5 of 1983 – Issued.

HEALTH MEDICAL AND FAMILY WELFARE (C1) DEPARTMENT

G.O.Ms.No.170 Dated: 23.12.2021

Read the following:

1. G.O.Ms.No.72, HM&FW (C1) Dept., Dt.03.05.2017.
2. G.O.Ms.No.77, HM&FW (C1) Dept., Dt.06.05.2017.
3. From the Hon'ble High Court orders dt.20.01.2021 in W.P. (PIL) No.131 & 132 of 2017, W.P.Nos.16990, 17102 & 17104 of 2017, WP No.19755, 19764 & 19802 of 2019, WP No.1323, 1324, 1327 & 6893 of 2020.
4. G.O.Ms.No.42, HM&FW (C1) Dept., Dt. 15.04.2021.
5. From Hon'ble High Court orders Dt. 05.10.2021 in W.P No.9599 of 2021 & batch.
6. From the Member Secretary & CEO, APHER&MC, Tadepalli Lr.No.2279/APHERMC/ADMN/2021,Dt. 29.10.2021 enclosing the Reasoned Proceedings/Orders dated 26.10.2021 along with the worksheets determining the fee structure for PG Dental courses of St.Joseph Dental College, Eluru, Andhra Pradesh.

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ORDER:

In the G.O.4th read above, Government after considering the fee structure recommended by the Andhra Pradesh Higher Education Regulatory and Monitoring Commission (APHERMC), issued orders notifying the fee structure to the Post Graduate Medical and Post Graduate Dental Courses in Private Un-aided Professional Institutions (Non-Minority and Minority) in the state of AP for the block period 2017-2018 to 2019-2020.

2. Aggrieved by the above orders the Private Medical Colleges have questioned the fee structure for the block period 2017-18 to 2019-20 by filing the Writ Petitions before the Hon'ble High Court in W.P. No. 9599 of 2021 & batch. The Hon'ble High Court in its order dt.05.10.2021 in WP No 9599 of 2021 & batch cases, has set aside the fee determination proceedings of the APHERMC dt. 06.04.2021 and orders issued by Government in G.O. 4th read above, directing the Commission to pass fresh speaking orders after considering the objections of each individual institution which have already been filed and determine the fee structure for the block period 2017-18 to 2019-20. Further directed the APHER&MC to forward the orders of fixation of fees to the 1st respondent Government to notify the said fees.

3. In the letter 6th read above, the Member Secretary & CEO, APHERMC has furnished proposal that in pursuant of the directions the Hon'ble High Court, the Commission passed fresh speaking orders/reasoned proceedings dated.26.10.2021 by considering the specific objections already filed on 30.03.2021 by St.Joseph Dental College, Eluru and determined the fee structure for the PG Dental Courses of the College for the block period 2017-18 to 2019-20 and requested the Government to consider the proceedings of the Commission and notify the fee structure under Section 7 of AP Act No.5 of 1983, subject to the conditions mentioned in the reasoned proceedings of the Commission and the directions that may be mentioned by the Government in its orders.

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4. Government after careful examination of the matter, hereby issue the following Notification which shall be published in the Andhra Pradesh Extra-ordinary Gazette:

NOTIFICATION

5. In exercise of the powers conferred under Section 7 of Andhra Pradesh Educational Institutions (Regulation of Admission and Prohibition of Capitation Fee) Act, 1983 (Act No.5 of 1983), the Government considered the fee structure recommended by the APHERMC, determining the fee structure to the Post Graduate Dental Courses of St.Joseph Dental College, Eluru, Andhra Pradesh for the block period 2017-18 to 2019-20.

6. The Government, hereby notify the Fee structure for the Post Graduate Dental courses of St.Joseph Dental College, Eluru, Andhra Pradesh for the block period 2017-2018 to 2019-2020. The details of the Fee structure for the PG Dental Courses of the St.Joseph Dental College, Eluru is appended as annexure to this order.

7. The above said fee structure notified by the Government under Section 7 of Act 5 of 1983 for the block period 2017-18 to 2019-20 is subject to the following conditions:

a) The Fees are all-inclusive annual fees including tuition fee, admission fee, special fee, computer/internet fee, maintenance and amenities fee, extracurricular activities fee, development fee and other recurring expenditures.
b) The aforesaid Fees determined for the PG Dental courses to the College mentioned in the **Annexure** do not include hostel, transport, mess charges, refundable deposits like laboratory/library fee etc.,
c) The same fees shall continue for the students admitted during the block period of 2017-18 to 2019-20 till they complete their course.
d) As per the direction no.14 of para 52 of the Division bench of the Hon'ble High Court dated 28.01.2021 in WP (PIL) No. 131 & 132 of 2017 & batch "upon such notification, the private institutions shall be entitled to collect or refund the difference between the fee already collected and notified fee from the students". Accordingly, the differential fee shall be collected or refunded upon the notification of the fee by the Government from or to the respective PG students within three (3) weeks.
e) The College shall comply with the regulations of the Dental Council of India with regard to the payment of the stipend.
f) The minimum of the fee structures for all the PG Dental courses shall be applicable for the new courses/colleges sanctioned during the block period 2017-18 to 2019-20.
g) The institution shall not charge either directly or indirectly any other amount over and above the fee fixed in the **Annexure**. If any other amount is charged under any other head or guise i.e., donations, the same would amount to charging of capitation fee and the concerned institution shall be liable for penalties under Section 9 of Act 5 of 1983.

8. The Registrar, Dr. NTR University of Health Sciences, Vijayawada/Director of Medical Education shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)
ANIL KUMAR SINGHAL
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Printing & Stationery, Vijayawada (with a request to publish in the next extra-ordinary Gazette and supply 300 Copies immediately).
The Registrar, Dr.NTR University of Health Sciences, Vijayawada.
The Director of Medical Education, Andhra Pradesh Vijayawada.
The Secretary & Chief Executive Officer, APHER & MC, Tadepalli, Guntur District.

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The Principal, St.Joseph Dental College, Eluru, West Godavari District through Dr.NTR UHS/DME under their control.

Copy to:
The PS to Addl. Secy to CM
The OSD to Deputy CM (HFW & ME).
The PS to Principal Secretary, HM & FW.
The Government Pleader for HM&FW, AP High Court,
The Secretary, AP Private Medical and Dental Colleges Management's Association, Vijayawada
SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE to G.O.Ms.No. 170, HM & FW (C1) Dept., Dated: 23.12.2021

St.Joseph Dental College, Eluru, West Godavari District, Andhra Pradesh

COURSE: PG DENTAL COURSES

Fee structure notified for the block period 2017-18 to 2019-20

Name of the Course	Convenor Quota (50%) (In.Rs.)	Management Quota S1 (25%) (In.Rs)	Actual total fee collected for NRI & Institutional quota (S2&S3) (Rs.)
Clinical Degree / Diploma Courses	2,64,697	6,61,743	---

ANIL KUMAR SINGHAL
PRINCIPAL SECRETARY TO GOVERNMENT